

CASE NO. 743-AT-13

SUPPLEMENTAL MEMORANDUM

March 28, 2013

Champaign
County
Department of

Petitioner: **Zoning Administrator**

Prepared by: **Andy Kass, Associate Planner**
John Hall, Zoning Administrator

**PLANNING &
ZONING**

Request: Amend the Champaign County Zoning Ordinance as follows:

Part A. Revise Section 9.1.9 as follows:

1. Authorize County Board approved variances as authorized in Section 13
2. Require Findings for County Board approved variances
3. Authorize conditions for County Board approved variances
4. Require three-fourths of all members of the County Board to approve a variance when a written protest against the variance is submitted by a township board in a township that has a plan commission, within 30 days after the close of the public hearing at the Zoning Board of Appeals.

Part B. Revise Section 13 as follows:

1. Add "or the Governing Body" after each use of "Board"
2. Authorize that a variance or special use permit or zoning use permit or zoning compliance certificate may be authorized when a construction or use would violate the subdivision regulations of a municipality when the requirement for annexation is a requirement for plat approval by that municipality involving the expansion and/or construction of a water treatment plant or related facilities owned and operated by a predominately rural water district, when the municipality has its own water treatment plant and related facilities. If no plat approval shall be considered without the requirement for annexation then a VARIANCE from the requirement for compliance with the municipal SUBDIVISION regulations may be considered by the GOVERNING BODY.

Part C. Revise Section 9.2.2 to require three-fourths of all members of the County Board to approve a text amendment or map amendment when a written protest against the amendment is submitted by a township board in a township that has a plan commission, within 30 days after the close of the public hearing at the Zoning Board of Appeals.

STATUS

This is the first hearing for this case. Proposed revisions to paragraph 13.2.1A.4.a. are included below.

PROPOSED REVISIONS TO PARAGRAPH 13.2.1A.4.a.

The BOARD or the GOVERNING BODY shall not approve VARIANCES or SPECIAL USE Permits, and the Zoning Administrator shall not issue Zoning Use Permits or Zoning Compliance Certificates when:

A. The CONSTRUCTION or USE would violate:...

4. the SUBDIVISION regulations of a municipality where the LOT is within the jurisdiction of a municipality which has enacted SUBDIVISION regulations except for the following:
 - a. CONSTRUCTION or change of USE to establish or enlarge a water treatment plant or related facilities owned and operated by a predominately rural water district or CONSTRUCTION or change of USE to establish or enlarge a sewage treatment plant and related facilities owned and operated by a predominately rural water district, when that CONSTRUCTION or change of USE is required to comply with municipal SUBDIVISION regulations including the requirement for annexation to a municipality and that municipality has its own water treatment plant and related facilities. The GOVERNING BODY may consider a VARIANCE from the requirement for compliance with the municipal SUBDIVISION regulations if the municipality will not consider plat approval without the requirement for annexation.